

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD GOLDFARB AND SHARI	:	
GOLDFARB, individually	:	
and as H/W	:	CIVIL ACTION
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	NO. 07-3965
OCWEN LOAN SERVICING, LLC and	:	
JOHN DOES, 1-10	:	
	:	
Defendants.	:	

**ORDER**

Since filing their Amended Complaint, Plaintiffs have dropped their causes of action against Defendants under the Fair Debt Collection Practices Act and Fair Credit Extension Uniformity Act, in addition to their demand for rescission.<sup>1</sup> Plaintiffs' sole remaining claim is that the Defendants violated Pennsylvania's Unfair Trade Practices and Consumer Protection Law. 73 P.S. § 201-1, *et. seq.* As a result of their concession, Plaintiffs have no remaining federal claims before this Court. Accordingly, this Court will not exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1337.

**AND NOW**, this 3<sup>rd</sup> day of September, 2009, upon consideration of Defendants' Motion to Dismiss (Doc. No. 35), Plaintiffs' Response in Opposition to Defendants' Motion to Dismiss, (Doc. No. 36), Defendants' Reply to Plaintiffs' Response to their Motion to Dismiss, (Doc. No.

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<sup>1</sup>"Upon Defendants' Reply, Plaintiffs are persuaded, without admission and for efficiency, to instantly withdraw their demand for rescission, as well as causes of action for FDCPA and FCEUA." (Pls.' Rebut. Defs.' Reply Supp. Mot. Dismiss, 1.)

37), and Plaintiffs' Rebuttal to Defendants' Reply (Doc. No. 41), it is hereby **ORDERED** that Defendants' Motion to Dismiss as to Count III is **GRANTED WITHOUT PREJUDICE** to Plaintiffs refiling this claim in the appropriate state forum.

This case is **CLOSED**.

BY THE COURT:

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*s/Ronald L. Buckwalter*

RONALD L. BUCKWALTER, S.J.